

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ESMELING BAHENA,	)	Case No.: 1:20-cv-01685-AWI-SAB (PC)
)	
Plaintiff,)	
	)	ORDER GRANTING DEFENDANTS' MOTION
v.	)	TO OPT OF THE POST-SCREENING ADR
	)	PROJECT
RODRIGUEZ, et al.,)	
	)	(ECF No. 26)
Defendants.)	
	)	ORDER LIFTING STAY OF PROCEEDINGS,
	)	VACATING OCTOBER 28, 2021 SETTLEMENT
	)	CONFERENCE, AND DIRECTING CLERK OF
	)	COURT TO ISSUE THE DISCOVERY AND
	)	SCHEDULING ORDER

Plaintiff Esmeling Bahena is proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On August 11, 2021, the Court identified this case as an appropriate case for the post-screening ADR (Alternative Dispute Resolution) project, and stayed the action to allow the parties an opportunity to settle their dispute before the discovery process begins. The Court's order granted Defendants time to investigate and determine whether to opt out of the post-screening ADR project.

On September 9, 2021, Defendants filed a motion to opt out of the settlement conference. (ECF No. 26.) Defendants submit that based on their review of the case and discussion with Plaintiff, a settlement conference would be a waste of judicial resources at this time. (*Id.*) After reviewing the

1 notice, the Court finds good cause to grant Defendants' request. Therefore, the stay is lifted, and the
2 October 28, 2021 settlement conference is vacated.

3 Accordingly, it is HEREBY ORDERED that:

- 4 1. Defendants' request to opt out of the post-screening ADR project (ECF No. 26), is
5 GRANTED;
- 6 2. The stay of this action (ECF No. 23) is LIFTED; and
- 7 3. The Clerk of Court shall issue the discovery and scheduling order.

8
9 IT IS SO ORDERED.

10 Dated: September 10, 2021



UNITED STATES MAGISTRATE JUDGE